

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DONG PYOU HAN,

Defendant.

No. 4:14-cr-00078 – JEG

**ORDER FOR
PRE-SENTENCE INVESTIGATION AND
CONCERNING SUBMISSION OF
MOTIONS, OBJECTIONS, AND OTHER
SENTENCING MATERIALS**

I. PRE-SENTENCE INVESTIGATION AND DISCLOSURE OF PRE-SENTENCE REPORT

The United States Probation Office shall complete a pre-sentence investigation, and the initial pre-sentence report (PSR) shall be completed and disclosed to parties within forty-five (45) calendar days following the date of adjudication or plea proceeding. In accordance with this Order, the initial PSR shall be disclosed on April 13, 2015. Initial disclosure of the PSR shall occur via electronic filing on CM/ECF.

Within fourteen (14) days after disclosure of the initial PSR, pursuant to Fed. R. Crim. P. 32(f)(1), counsel shall file with the Court any objections counsel may have to any material facts, information, sentencing classifications, sentencing guideline ranges, and policy statements contained in, or omitted from, the PSR. In accordance with this Order, objections shall be filed no later than April 27, 2015.

II. OBJECTION MEETING

It is the responsibility of counsel to be prepared for and participate in an objection meeting, if one is necessary. In accordance with Fed. R. Crim. P. 32(f)(3), the United States Probation Office shall contact counsel to determine the parties' readiness to proceed with sentencing and to conduct a meeting to address any objections or logistics relating to sentencing.

No later than May 4, 2015, the Probation Officer shall contact the Court and confirm that the case is ready to proceed to sentencing as scheduled, reschedule the sentencing date, if necessary, and/or address any other logistical matters related to sentencing.

III. SENTENCING DATE

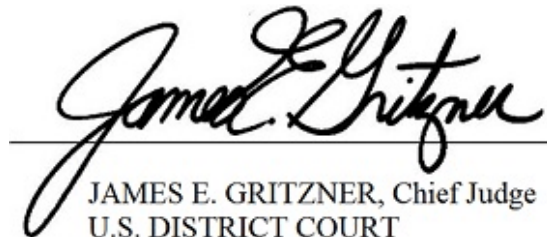
The parties involved shall appear before the Court for sentencing proceedings on May 29, 2015, at 9:00 a.m., at the U.S. Courthouse in Des Moines, Iowa, before Chief U.S. District Judge James E. Gritzner. The estimated time required for the sentencing hearing is 30 minutes; however, the parties shall notify the Court if more time is needed. In accordance with Fed. R. Crim. P. 32(g), the final PSR shall be disclosed to the Court and parties no later than seven (7) days in advance of the sentencing date. The Probation Officer will advise the Court as to the projected length of the sentencing hearing, whether the parties intend to call witnesses, whether it is anticipated that any victims may wish to be present and/or address the Court, and whether there are any unique logistical or scheduling issues.

IV. PRE-SENTENCE SUBMISSIONS

Not later than three (3) court days prior to the date set for sentencing, the parties shall file any motions, sentencing memoranda, or briefs the party would like the Court to consider at the sentencing hearing. Additionally, by the same deadline, copies of any letters or other exhibits the party would like the Court to consider at the sentencing hearing should be delivered to the chambers of the sentencing judge, with copies provided to opposing counsel and the Probation Officer, but these materials should not be filed. The requirements in this section do not apply to resistances or responses to motions or briefs served less than seven (7) days before the sentencing hearing, Government motions under USSG § 5K1.1 or 18 U.S.C. § 3553(e), or rebuttal or impeachment exhibits.

IT IS SO ORDERED.

Dated this 25th day of February, 2015.



JAMES E. GRITZNER, Chief Judge
U.S. DISTRICT COURT